

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2011 Legislative Session

Legislative Day # 1

BILL NO. 2010-15

Introduced by: Charles County Commissioners

HOMEOWNERS TAX CREDIT – ENHANCED SUPPLEMENT
FOR QUALIFYING SENIORS

Date introduced: 11 / 09 / 2010

Public Hearing: 11 / 30 / 2010 @ 3:00 p.m.

Commissioners Action: 02 / 01 / 2011 Enact

Commissioner Votes: CQK: Y, RC: Y, KR: Y, DD: Y, BR: Y

Pass/Fail: Pass

Effective Date: 03 / 18 / 2011 *

Remarks: * This Enhanced Supplement goes into effect in Fiscal Year 2012 (07/01/2011)

NOTE: CAPITALS indicate matter added to existing text.
[Brackets] indicate matter deleted from existing law. 1

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2011 Legislative Session

Bill No. 2010-15

Chapter. No. 281

Introduced by Charles County Commissioners

Date of Introduction 11/09/2010

BILL

1 AN ACT concerning

2 HOMEOWNERS TAX CREDIT – ENHANCED SUPPLEMENT
3 FOR QUALIFYING SENIORS

4
5 FOR the purpose of

6 Amending the Homeowners Tax Credit to add an additional supplemental credit for
7 elderly homeowners who meet certain requirements.

8
9 BY repealing and reenacting, with amendments:

10 Chapter 281 – Taxation

11 Section 281-23 – Homeowners Tax Credit

12 *Code of Charles County, Maryland*

13 (1994 Edition)

14
15
16 **SECTION 1.** BE IT ENACTED BY THE COUNTY COMMISSIONERS OF
17 CHARLES COUNTY, MARYLAND, that the Laws of Charles County, Maryland read as
18 follows:

1 § 281-23. Homeowners tax credit.

2 A. Definitions. The following words have the meanings indicated [in § 9-104 of the
3 Tax-Property Article of the Maryland Code]:

4 (1) “Combined income[;]” HAS THE MEANING INDICATED IN §9-104 OF THE
5 TAX-PROPERTY ARTICLE OF THE MARYLAND ANNOTATED CODE.

6 (2) “Dwelling[; and]” HAS THE MEANING INDICATED IN §9-104 OF THE TAX-
7 PROPERTY ARTICLE OF THE MARYLAND ANNOTATED CODE.

8 (3) “Homeowner” HAS THE MEANING INDICATED IN §9-104 OF THE TAX-
9 PROPERTY ARTICLE OF THE MARYLAND ANNOTATED CODE..

10 ____ (4) “COMBINED NET WORTH” MEANS THE NET WORTH OF ALL
11 INDIVIDUALS WHO ACTUALLY RESIDE IN THE DWELLING, LESS THE VALUE
12 OF THE PROPERTY AS ASSESSED BY THE STATE DEPARTMENT OF
13 ASSESSMENTS AND TAXATION, NOT INCLUDING AN INDIVIDUAL WHO:

14 (a) IS A DEPENDENT OF THE HOMEOWNER UNDER § 152 OF THE
15 INTERNAL REVENUE CODE; OR

16 (b) PAYS A REASONABLE AMOUNT FOR RENT OR ROOM AND BOARD.

17 B. Credit established.

18 (1) There is a local supplement to the Homeowners Property Tax Credit Program
19 established by § 9-104 of the Tax-Property Article of the Maryland Code and authorized
20 under § 9-215 of the Tax-Property Article of the Maryland Code.

21 (2) The property tax to which this section applies is the product of the sum of all County
22 property tax rates on real property for the taxable year on a dwelling multiplied by the
23 lesser of the assessed value of the dwelling or \$300,000 and then reduced by any property
24 tax credit granted under § 9-105 of the Tax-Property Article of the Maryland Code.

25 C. Amount.

26 (1) UNLESS ELIGIBLE FOR THE ENHANCEMENT UNDER SUBSECTION (D),

1 THE [The] County supplemental property tax credit is the total real property tax on a
2 dwelling less:

3 (a) The percentage of the combined income of the homeowner calculated under
4 Subsection C(2) of this section; and

5 (b) The property tax credit granted under § 9-104 of the Tax-Property Article of
6 the Maryland Code.

7 (2) The percentage of the combined income of the homeowner referred to in Subsection
8 C(1) is:

9 (a) 0.0% of the first \$5,000;

10 (b) 1.0% of the next \$5,000;

11 (c) 2.0% of the next \$5,000;

12 (d) 3.0% of the next \$5,000;

13 (e) 4.0% of the next \$5,000;

14 (f) 5.0% of the next \$5,000;

15 (g) 6.0% of the next \$5,000;

16 (h) 7.0% of the next \$5,000;

17 (i) 8.0% of the next \$5,000; and

18 (j) 9.0% of the next \$5,000;

19 (3) The property tax credit under this section shall be proportionately reduced for a
20 homeowner who is not required to pay the tax for the full tax year.

21 D. [Administration. This section shall be administered by the Director of Fiscal Services and the
22 State Department of Assessments and Taxation as provided in §§ 9-104 and 9-215 of the Tax
23 Property Article of the Maryland Code.] ENHANCED SUPPLEMENT.

24 (1) ELIGIBILITY. THERE IS AN ENHANCED LOCAL SUPPLEMENT IF, AS OF
25 THE END OF THE CALENDAR YEAR PRECEDING THE TAXABLE YEAR FOR

1 WHICH THE ENHANCED LOCAL SUPPLEMENT IS SOUGHT:

2 (a) ONE OF THE HOMEOWNERS IS AT LEAST 70 YEARS OF AGE;

3 (b) ONE OF THE HOMEOWNERS HAS RESIDED IN THE DWELLING FOR
4 MORE THAN TWENTY YEARS;

5 (c) THE HOMEOWNERS HAVE A COMBINED NET WORTH OF TWO
6 FIVE HUNDRED THOUSAND DOLLARS (\$200,000) OR LESS; AND

7 (d) THE HOMEOWNERS HAVE A COMBINED INCOME OF SEVENTY
8 FIFTY THOUSAND DOLLARS (\$50,000) OR LESS.

9 (2) (a) IF THE ELIGIBILITY CRITERIA DESCRIBED IN SUBSECTION (C) AND
10 (D)(1) ARE MET, THE AMOUNT OF THE ENHANCED LOCAL
11 SUPPLEMENT TO THE HOMEOWNERS PROPERTY TAX CREDIT
12 PROGRAM IS 130% OF THE AMOUNT CALCULATED IN SUBSECTION
13 (C), BUT SHALL NOT EXCEED THE AMOUNT OF THE COUNTY REAL
14 PROPERTY TAX IMPOSED ON THE DWELLING.

15 (b) IF ONLY THE ELIGIBILITY CRITERIA DESCRIBED IN SUBSECTION D
16 IS MET, THE AMOUNT OF THE ENHANCED LOCAL SUPPLEMENT TO
17 THE HOMEOWNERS PROPERTY TAX CREDIT PROGRAM IS EQUAL TO
18 THE MAXIMUM CREDIT ALLOWED UNDER THE COUNTY'S
19 HOMEOWNERS PROPERTY TAX CREDIT PROGRAM ACCORDING TO
20 INCOME LEVEL.

21 (3) NO RETROACTIVITY. THE ENHANCED SUPPLEMENT GOES INTO EFFECT
22 IN FISCAL YEAR 2012, AND THE CREDIT SHALL BE APPLIED TO QUALIFIED
23 PROPERTIES FROM FY2012 AND ONWARD. THIS PROGRAM SHALL NOT
24 BE APPLIED RETROACTIVELY.

1 E. [Regulations. The County Commissioners may adopt regulations to carry out this section.]
2 ADMINISTRATION. THIS SECTION SHALL BE ADMINISTERED BY THE DIRECTOR OF
3 FISCAL AND ADMINISTRATIVE SERVICES AND THE STATE DEPARTMENT OF
4 ASSESSMENTS AND TAXATION AS PROVIDED IN §§ 9-104 AND 9-215 OF THE TAX
5 PROPERTY ARTICLE OF THE MARYLAND CODE.

6 F. [Report. Each year, the Director of Fiscal Services shall submit a report to the County
7 Commissioners that describes program participation in the current tax year and includes the
8 income of taxpayers and the number and cost of the credits allowed.] REGULATIONS. THE
9 COUNTY COMMISSIONERS MAY ADOPT REGULATIONS TO CARRY OUT THIS
10 SECTION.

11 G. [Applications. All applications for homeowners' supplemental property tax credit
12 administered under this section must be submitted in a form approved by the Director of Fiscal
13 Services and signed by the homeowner, under oath and under penalty of perjury.] REPORT.
14 EACH YEAR, THE DIRECTOR OF FISCAL AND ADMINISTRATIVE SERVICES MAY
15 SUBMIT A REPORT TO THE COUNTY COMMISSIONERS THAT DESCRIBES
16 PROGRAM PARTICIPATION IN THE CURRENT TAX YEAR AND INCLUDES THE
17 INCOME OF TAXPAYERS AND THE NUMBER AND COST OF THE CREDITS
18 ALLOWED.

19 H. APPLICATIONS. ALL APPLICATIONS FOR HOMEOWNERS' SUPPLEMENTAL
20 PROPERTY TAX CREDIT ADMINISTERED UNDER THIS SECTION MUST BE
21 SUBMITTED IN A FORM APPROVED BY THE DIRECTOR OF FISCAL AND
22 ADMINISTRATIVE SERVICES AND SIGNED BY THE HOMEOWNER, UNDER OATH
23 AND UNDER PENALTY OF PERJURY.

24
25 **SECTION 2. THE ENHANCED SUPPLEMENT TO THE HOMEOWNER'S TAX CREDIT,**
26 **SUBSECTION (D), SHALL TERMINATE AND BE OF NO EFFECT AT THE CLOSE OF**
27 **THE FISCAL YEAR UNLESS THE COUNTY COMMISSIONERS TAKE ACTION TO**
28 **PREVENT SUCH TERMINATION. IN THE EVENT THAT ACTION IS TAKEN TO**

1 PREVENT THE ENHANCED SUPPLEMENT TO TERMINATE IN ANY FISCAL YEAR,
2 THIS SUNDOWN SHALL BE APPLICABLE TO THE FOLLOWING FISCAL YEAR.

3
4 **SECTION 3.** BE IT FURTHER ENACTED, that this Act shall take effect [FORTY-FIVE (45)]
5 calendar days after it becomes law.

6
7 COUNTY COMMISSIONERS
8 CHARLES COUNTY, MARYLAND
9

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12 _____
13 Candice Quinn Kelly, President
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16 _____
17 Reuben B. Collins, II, Esq., Vice President
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19
20 _____
21 Ken Robinson
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24 _____
25 Debra M. Davis, Esq.
26

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28 _____
29 Bobby Rucci

30 ATTEST:

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33 _____
34 Denise Ferguson, Clerk to the Commissioners
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